



**STATEMENT OF PROCEEDINGS
FOR THE LOS ANGELES COUNTY
SUPERVISORIAL DISTRICT BOUNDARY REVIEW
COMMITTEE
KENNETH HAHN HALL OF ADMINISTRATION
500 WEST TEMPLE STREET. ROOM 381B**

Wednesday, June 15, 2011

2:00 PM

Present: Chair Pedersen, Commissioner Reyes, Commissioner Martinez, Commissioner Ollague, Commissioner Choi, Commissioner Escandon, Commissioner Harris, Commissioner Friedman, Commissioner Acebo, Commissioner Hatanaka, Commissioner Napolitano, Commissioner Hernandez, Commissioner Hoffenblum and Commissioner Sun

Excused: Vice Chair Holoman, Commissioner Andrade, Commissioner Flores, Commissioner Hollister, Commissioner Mejia and Commissioner Tse

ROLL CALL

1. Call to Order and Introduction by Chair Pedersen. (11-2841)

The meeting was called to order by Chair Pedersen at 2:15 p.m.

I. ADMINISTRATIVE MATTER

2. Approval of Minutes of June 8, 2011 (11-2842)

On motion of Commissioner Hoffenblum, seconded by Commissioner Friedman, this item was approved.

Attachments: [SUPPORTING DOCUMENT-Minutes](#)

II. REPORTS

3. Report on status of redistricting software, redistricting website activity, and "Open House" public assistance sessions. (11-2843)

Martin Zimmerman of the Chief Executive Office (CEO) reported that consistent with the Boundary Review Committee's direction, the deadline for submitting redistricting plans from the public was extended to 5:00 p.m. on June 10, 2011. Members of the public no longer have the ability to submit plans via the County's redistricting website. There were no new issues regarding the redistricting software and the "Open House" sessions have all been concluded.

4. Report on status of plans submitted. (11-2844)

Mr. Zimmerman reported that as of 5:00 p.m. on June 10, 2011, a total of 19 plans have been submitted, 17 of those are viable. The remaining two plans will not be reviewed. The first plan is a 16-district plan and violates the County Charter. The second plan, labeled H1 will not be reviewed because the author amended his original plan and re-submitted it labeled H2.

Subsequent to the June 8, 2011 meeting, six plans have been submitted. The plans were submitted by James Reid, Ron Hoffman, Mexican American Legal Defense and Educational Fund (MALDEF) (two plans) and a coalition of community organizations. The two plans submitted by MALDEF and the plan by the coalition of community organizations were not prepared using the County's redistricting software.

Chair Pedersen inquired about the validity of the analysis on the plans that were not submitted via the County's redistricting software.

Mr. Zimmerman does not foresee any problems with the plans submitted by the coalition of community organizations. However, there are a few issues with two plans submitted by MALDEF. Aside from the fact that MALDEF did not use the County's redistricting software to develop their plan, they also did not use the County's redistricting units and instead used Census Blocks. Perhaps the most challenging aspect of the two MALDEF plans is that they are partial plans which only address three districts and leave the remainder of the County unassigned.

Chair Pedersen inquired as to which three districts MALDEF addressed.

Mr. Zimmerman indicated that unfortunately staff is unable to determine which districts MALDEF was referring to because they were not identified by number. Furthermore, an analysis of the partial plans would be very time-consuming and labor-intensive.

Frank Cheng, CEO reported that limited review of the partial plans could be done, but staff would have to conduct the analysis manually. In addition, because the plans are partial, staff will also be unable to determine certain critical data, such as the total population that was reassigned. Unfortunately, without further clarification, the partial plans will fail the quality assurance checks done for all other submitted plans as seen in the standard reports.

The Committee discussed what kind of analysis could be conducted with the partial plans submitted by MALDEF. The Committee also discussed the possibility of contacting MALDEF to seek further clarification of their two submitted plans. The Committee discussed the instructions listed on the County's redistricting website which indicated that a plan may be submitted not using the County software. Additionally, the Committee agreed to strive for consistency when reviewing and analyzing plans.

After discussion and reference to narrative provided in MALDEF's submission, it was determined that the two MALDEF plans were intended to be partial plans with intentionally unnumbered districts. As set forth in MALDEF's submission, "Together, they are two iterations of MALDEF Districts A/B and MALDEF Districts C that are easily interchangeable with each other, providing options for the Commission to consider which create two Latino Section 2 mandated districts along with preserving an effective opportunity district for the African-American community."

Additionally, at the request of Commissioner Acebo, staff will analyze any effect the MALDEF plans have on the Asian/Pacific Islander populations.

The two MALDEF plans will be analyzed as they were submitted, with consideration that the plans were intended to be more of a resource for consideration than actual redistricting plans.

5. Consideration of additional redistricting data. (11-2845)

Mr. Zimmerman reported that this item is a standing item on the BRC agenda in case there are any additional proposals by the BRC members. No additional proposals were made by the BRC members.

6. Consideration of redistricting plans submitted by the public, including discussion of potential revisions by Committee members:

Plan E1, submitted by Jacob Kang-Brown

Plan F1, submitted by Christopher McClelland

Plan G1, submitted by Daniel Lopez

Plan H2, submitted by Leo Estrada

Plan I1, submitted by Christopher Kan

Plan A1 (Benchmark Plan) is also included for reference

Note: Plans not discussed at scheduled meeting due to time constraints will be carried over to the next Boundary Review Committee meeting. (11-2846)

Mr. Zimmerman reported on E1, F1, G1, H2 and I1 submitted plans as follows:

Proposed Plan E1 by Jacob Kang-Brown:

This was a plan submitted as a 16-district Plan. This plan cannot have the standard analysis performed given it provides for 16 supervisorial districts, which would require voter approval of a County Charter amendment to increase the number of districts. County Counsel has also addressed this in their Summary Report. The submitter was contacted; however, he did not attend and was not available for questions.

Proposed Plan F1 by Christopher McClelland:

Mr. Zimmerman noted the submitter advised him on a phone conversation that he had intended to rescind his plan, but hadn't done so. Although this request was noted, the plan has been analyzed and is ready for the Committee's consideration.

Commissioner Reyes made a motion to continue without further review of the proposed rescinded plan submitted by Christopher McClelland.

Commissioner Freidman made a motion, seconded by Commissioner Reyes to not consider rescinded plans and added that staff clarify with Mr. McClelland if rescinding his plans was the intent, and at the minimum put the item to the end of the schedule or not consider it at all.

Commissioner Napolitano questioned the ability of the Committee to consider a plan once it has been rescinded. Commissioner Hoffenblum clarified that the data has been provided and it is the Committee's decision if they choose to move forward and give the plan further review.

After discussion, Commissioner Friedman amended his motion to have the Committee consider the plan without public hearing on the rescinded plan. If a Commissioner requests to have a discussion on the rescinded plan, they can, but by default, the plan would be reviewed only on the basis of the analysis given by County Counsel and the Chief Executive Office.

Nancy Takade, Office of the County Counsel, clarified whether Commissioner Friedman's motion was intended to suggest that rescinded plans need not have public discussion before the Committee, but the standard analysis for these plans as contained in the analytical reports would still be made available to the Committee and the public.

Commissioner Harris suggested that rescinded plans be tabled until all the plans that have not been rescinded have been reviewed and revisit the question of whether or not to consider rescinded plans after the process has been concluded and have the Committee clarify that any request to rescind a plan be put in writing.

Therefore, following further discussion, on motion of Commissioner Friedman and Reyes, seconded by Chair Pedersen, unanimously carried, the Committee agreed to consider all plans, and that rescinded plans will be reviewed on the basis of the analysis given by County Counsel and the CEO without further public discussion, unless otherwise requested.

Proposed Plan G1 by Daniel Lopez:

1. Proposes reassignment of 532 redistricting units that make up 64 whole or partial communities.
2. Total population deviation is 1.71 % (page 21).
3. The total number of people moved from one district to another is 1,743,300 (page 10).
4. The summary chart on page 10 of the staff report reflects the population moved between Districts.
5. Deferred and Advanced Voting – County Counsel report shows that overall 13.9 % of the constituents of LA County will be affected in terms of their voting ability to be advanced or deferred.

6. Citizen Voting Age Population (CVAP) by District (Page 33 of Staff Report and 23 for Benchmark):

	Hispanic Plan G1	Benchmark
District 1	54.5 %	63.3 %
District 2	30.2 %	33.6 %
District 3	22.9 %	23.8 %
District 4	39.1 %	31.6 %
District 5	25.1 %	24.7 %

	African American Plan G1	Benchmark
District 1	3.7 %	3.6 %
District 2	32.8 %	36.5 %
District 3	5.0 %	5.0 %
District 4	10.1 %	7.8 %
District 5	7.1 %	6.8 %

	Asian Plan G1	Benchmark
District 1	22.7 %	18.2 %
District 2	9.7 %	10.5 %
District 3	11.0 %	10.3 %
District 4	14.6 %	16.9 %
District 5	14.9 %	16.5 %

7. Party Affiliation by District (Page 28 of Staff Report)

	Democrat	Republican
District 1	52.2 %	21.6 %
District 2	62.9 %	14.2 %
District 3	52.0 %	21.0 %
District 4	49.8 %	26.1 %
District 5	41.5 %	32.7 %

8. This plan displaces Supervisor Molina from the First District and places her residency in the Fifth District. As a result, there are two (2) Supervisors in the Fifth District, and no Supervisor in the First District. The Districts are contiguous and reasonably compact.

9. Major facilities moved – The County Counsel report (page 4) provides some examples highlighted in this plan:

- Marina del Rey - District 4 to 2
- Bob Hope Patriotic Hall – District 1 to 2
- La Brea Tar Pits – District 3 to 2
- Museum of Art – District 3 to 2
- Harbor UCLA Medical Center – District 2 to 4

Commissioner Martinez questioned where the southern most part of the 5th District would be. Commissioner Ollague responded the location would be Alhambra.

Commissioner Reyes asked what software measures are used in determining compactness of districts. Ms. Takade stated this was not determined using the software. Rather, it is more of an initial visual determination at this early juncture.

Commissioner Reyes commented with reference to CVAP assessment, the plan only has one district that meets Section 2 with respect to the population threshold of Latino citizens of voting age.

Mr. Zimmerman noted this may be one of the threshold factors the Committee may wish to consider in conducting further analysis of plans. Ms. Takade stated that Laura Brill (outside counsel) will be involved in the full analysis of these issues. However, there is a time and financial resource issue as well as a need to determine the level of concern among Committee members on this matter in relation to all other considerations. It would not be prudent to ask Ms. Brill to conduct a full scale analysis at this early point without having reviewed all the plans.

Commissioner Pedersen added that the information being referred to by Commissioner Reyes was in the report.

Commissioner Martinez asked for clarification if the Committee was making a decision on whether a plan was to get further analysis with a minimum threshold. Ms. Takade explained that since the Committee has not been presented with all of the plans, it would be difficult to identify such criteria when the Committee does not have a full and fair basis for a determination.

Chair Pedersen clarified that the Committee will be presented with all the plans with the simple analysis provided by the CEO and County Counsel. After which, the Committee will address those plans that need clarification or further consideration as opposed to those that the Committee feels would be “non-starters,” not requiring further analysis.

Proposed Plan H2 by Leo Estrada:

- 1. Proposes reassignment of 1,171 redistricting units that make up 138 whole or partial communities. (Pages 5-7)**
- 2. Total population deviation is 5.79 % (Page 11).**
- 3. The total number of people moved from one district to another is 3,879,240 (Page 11).**

Chair Pedersen requested confirmation that the proposal would split Long Beach between three districts. Mr. Zimmerman referred to the map and confirmed this, adding the County Counsel report identifies all splits.

Commissioner Friedman asked County Counsel if there was precedent in Los Angeles County redistricting for reassigning as large a percentage of County residents as this plan, and to what extent will that reassignment create a legal issue in voting rights cases nationally. Ms. Takade stated the Court Plan (Garza) did move quite a number of people; however, she did not have the precise amount handy. On the second question, there may be instances that the Committee will need to move people and it may not need to be as significant an amount, but other factors may need to be considered in order to come up with a conclusion.

Commissioner Acebo asked why some Districts show numbers that indicate lower deviation percentages than others.

Commissioner Reyes tried to provide an explanation that some deviations are increased to provide for Section 2 Districts.

Commissioner Pedersen asked about Item 7 of their summary report which refers to non-contiguous elements in the plan. Ms. Takade commented the non-contiguous redistricting units (RDUs) may have been assigned in error by the drafter of the proposed plan.

Mr. Zimmerman added there are currently approximately 5,000 people within the non-contiguous area (East Compton).

Commissioner Martinez requested a report back from County Counsel on the Garza Court Case as it pertains to Commissioners Friedman's and Acebo's concerns.

Commissioner Reyes would like to know how correcting the area that is non-contiguous would affect deviation and the CVAP.

Ms. Takade stated there would be a report back on the impact.

4. Deferred and Advanced Voting – County Counsel report shows that overall of 30.2 % of the constituents of LA County will be affected in terms of their voting ability to be advanced or deferred.
5. Citizen Voting Age Population (CVAP) by District (Page 38 of Staff Report and 23 for Benchmark):

	Hispanic Plan H2	Benchmark
District 1	50.2 %	63.3 %
District 2	32.3 %	33.6 %
District 3	14.9 %	23.8 %
District 4	50.1 %	31.6 %
District 5	28.9 %	24.7 %

	African American Plan H2	Benchmark
District 1	8.0 %	3.6 %
District 2	36.6 %	36.5 %
District 3	4.4 %	5.0 %
District 4	4.2 %	7.8 %
District 5	6.7 %	6.8 %

	Asian Plan H2	Benchmark
District 1	18.2 %	18.2 %
District 2	11.7 %	10.5 %
District 3	11.5 %	10.3 %
District 4	19.2 %	16.9 %
District 5	13.1 %	16.5 %

6. Party Affiliation by District (Page 33 of Staff Report)

	Democrat	Republican
District 1	58.2 %	15.3 %
District 2	64.6 %	13.1 %
District 3	48.0 %	25.2 %
District 4	47.6 %	27.6 %
District 5	42.0 %	32.5 %

Commissioner Harris questioned how the Committee will be able to determine or consider the deviation.

Commissioner Ollague questioned David Ely, the County's consultant, on how the Committee will estimate the deviation of plans such as those submitted by MALDEF.

Mr. Zimmerman responded that the deviation of each of the three districts from the ideal population (total County population divided by 5) could be determined. Mr. Ely confirmed that if the plans are considered as individual districts rather than a plan, you would be able to look at the deviations for each individual district. You would not be able determine a total deviation for the plan because you would not know the boundaries of the other two districts. However, you would be able to compare the deviations from each individual district to the ideal.

Commissioner Harris noted Plan H2 has the potential to be within the Section 2 voting rights category.

Commissioner Hatanaka commented that this plan would greatly impact the cities.

7. This plan does not displace any supervisor from his/her district. All districts except the First District, are contiguous. RDUs 2003, 2006, 2007, and 2013, which has 302, 1,036, 733, and 3,027 people in each, respectively, are all assigned to the First District but are contained wholly within the Second District. All five supervisory districts are reasonably compact.
8. Major facilities moved –County Counsel report (Page 4)
Some examples highlighted in this plan:
 - Three airports change Districts
 - Parks, Court Houses, Libraries

Commissioner Acebo requested Mr. Zimmerman provide a brief overview of the submitter's response to the Proposal Elements (Items "C" through "F" in the report) for the record: (Page 4)

- C. The Main objective(s) of this proposed plan:
To realign districts to encompass the four following coherent areas:
San Fernando Valley, Coastal Cities, South Bay, and San Gabriel Valley (including the foothill communities).

- D. Plan provides fair and effective representation by:
Grouping together people with like interests and concerns.
- E. Plan enhances opportunity for all voters by:
More accurately delineating community and cultural boundaries.
- F. Plan meets all requirements of law by:
Having equal representation while disregarding matters of race,
class and political affiliation.

Proposed Plan I1 by Christopher Kan

- 1. Proposes reassignment of 1,198 redistricting units that make up 156 whole or partial communities. (Pages 5-8)
- 2. Total population deviation is 0.4 % vs. 9.97% in the Benchmark (Page 27).
- 3. The total number of people moved from one district to another is 4,124,574 (page 12).
- 4. Deferred and Advanced Voting – The County Counsel report shows that, overall, 29.0 % of the constituents of LA County will be affected in terms of their voting ability to be advanced or deferred.
- 5. Citizen Voting Age Population (CVAP) by district (Page 40 of Staff Report and 23 for Benchmark):

Hispanic Plan I1		Benchmark
District 1	39.2 %	63.3 %
District 2	50.7 %	33.6 %
District 3	20.9 %	23.8 %
District 4	21.4 %	31.6 %
District 5	41.1 %	24.7 %

African American Plan I1		Benchmark
District 1	4.9 %	3.6 %
District 2	33.2 %	36.5 %
District 3	5.6 %	5.0 %
District 4	10.1 %	7.8 %
District 5	6.9 %	6.8 %

	Asian Plan I1	Benchmark
District 1	23.9 %	18.2 %
District 2	5.7 %	10.5 %
District 3	12.4 %	10.3 %
District 4	14.4 %	16.9 %
District 5	14.3 %	16.5 %

6. With respect to Commissioner Reyes' previous question: There is one (1) majority Latino CVAP district in this plan.
7. This plan displaces Supervisor Antonovich from the Fifth District and places his residency in the Third District. This plan also displaces Supervisor Don Knabe from the Fourth District and places his residency in the Fifth District. As a result, there are two supervisors in the Third District, no supervisor in the Fourth District, and an unseated supervisor in the Fifth District. All the Districts are contiguous and reasonably compact.
8. Major facilities moved –County Counsel report (page 5-9)
Some examples highlighted in this plan:
 - Descanso Gardens – District 5 to 1
 - Various Court Houses, Libraries
 - Harbor UCLA – District 2 to 4

Alan Clayton, a member of the public, commented that he has now submitted two plans. He also noted that the Estrada plan has two Latino majority CVAP districts, and a black district that has a higher CVAP number than the County's current benchmark. Mr. Clayton requested that the Committee pay attention to the Voting Rights Act, which is federal law that would trump local law. As to displacement concerns raised by the Committee, Mr. Clayton said that as a result of the Garza case, the Court required a plan that resulted in a huge displacement of people. "Massive" changes were made as a result of Garza. As to the Committee's comment regarding deviation in the Estrada plan, Mr. Clayton opined that it as long as reasonably compact districts could be drawn to correct for previous cracking/packing issues, higher deviations were acceptable. Mr. Clayton also asked the Committee to look at the Delgadillo v. Brown election, and Bowen v. Ortiz election from 2006.

Attachments: [SUPPORTING DOCUMENT - PLAN E1](#)
 [SUPPORTING DOCUMENT - County Counsel Plan Summary E1](#)
 [SUPPORTING DOCUMENT - PLAN F1](#)
 [SUPPORTING DOCUMENT - County Counsel Plan Summary F1](#)
 [SUPPORTING DOCUMENT - PLAN G1](#)
 [SUPPORTING DOCUMENT - County Counsel Plan Summary G1](#)
 [SUPPORTING DOCUMENT - PLAN H2](#)
 [SUPPORTING DOCUMENT - County Counsel Plan Summary H2](#)
 [SUPPORTING DOCUMENT - PLAN I1](#)
 [SUPPORTING DOCUMENT - County Counsel Plan Summary I1](#)
 [SUPPORTING DOCUMENT - Plan A1 Benchmark Plan](#)
 [SUPPORTING DOCUMENT - County Counsel Plan Summary of A1](#)

III. FUTURE MEETINGS

7. Future dates of Boundary Review Committee meetings. (11-2847)

Mr. Zimmerman presented the revised schedule for consideration. The revised schedule recommends canceling the tentatively-scheduled June 20 meeting to allow staff more time to analyze the remaining plans. The remaining plans will be considered between June 22 - 29, allowing the Committee at least three meetings to engage in further consideration of plans and move towards a recommended plan.

Chair Pedersen indicated Monday, June 27 is less than two weeks away and asked that members let Mr. Zimmerman or staff know if they would be available as they will be discussing four plans. Mr. Zimmerman clarified that members should contact Commission Services staff to establish a quorum.

Commissioner Ollague asked if it would be possible to add an additional two plans to the June 22 agenda to have the remaining meetings available for the deliberation process. Mr. Zimmerman advised that the remaining plans may not be ready in time. Chair Pedersen suggested if an additional plan was ready on time it could be added to the agenda.

Commissioner Martinez asked if June 29 or July 6 would be the date that they would discuss what the criteria would be. Chair Pedersen responded that after the last plan is finished, members can begin to voice their opinions on what criteria should be used. Commissioner Martinez added that worst case scenario, they may not have enough time to discuss criteria on June 29 and will have to begin discussions on July 6 and that date is too far from now. Mr. Zimmerman indicated that by June 29 staff and the Committee should know what is going to be on the following week's agenda and having an idea as to the criteria would assist in determining the July 6 agenda; he asked Ms. Takade, if she agreed. Ms. Takade responded that they will have a framework by then and it will be more evident as to

the types of plans received and what groupings appear logical. It will become more evident to everyone what the more desirable things to look at are and what things are more important to consider. Chair Pedersen stated that today they discussed four plans, had a lengthy discussion on MALDEF and believes they can get through the three plans and still have adequate time on June 29. Mr. Zimmerman advised that two of the plans are the MALDEF plans which will not have as much analysis as other plans.

Attachments: [SUPPORTING DOCUMENT-Future Meetings](#)

IV. MISCELLANEOUS

Matters Not Posted

8. Matters not on the posted agenda, to be discussed and (if requested) placed on the agenda for action at a future meeting of the Committee, or matters requiring immediate action because of an emergency situation or where the need to take action arose subsequent to the posting of the agenda. (11-2848)

No matters were placed on the agenda for action at a future meeting.

Public Comment

9. Opportunity for members of the public to address the Committee on items of interest that are within the jurisdiction of the Committee. (11-2849)

Alan Clayton addressed the Committee and expressed concern regarding voter deferral and violations of Section 2 in dealing with minority communities. Mr. Clayton also suggested researching court cases adopted by federal courts and suggested researching what other counties have done.

Adjournment

10. Adjournment for the meeting of June 15, 2011. (11-2850)

The meeting was adjourned at 4:23 p.m.